



STATE OF WISCONSIN Assembly Journal

Ninety-Ninth Regular Session

TUESDAY, January 12, 2010

The Chief Clerk makes the following entries under the above date:

AMENDMENTS OFFERED

Assembly amendment 2 to Assembly substitute amendment 1 to **Assembly Bill 405** offered by Representatives Roys and Barca.

Assembly amendment 1 to **Assembly Bill 413** offered by Representative Van Akkeren.

Assembly amendment 1 to **Assembly Bill 423** offered by Representative Molepske Jr.

Assembly substitute amendment 1 to **Assembly Bill 504** offered by Representatives Sinicki and Richards.

Assembly amendment 1 to Assembly substitute amendment 1 to **Assembly Bill 504** offered by Representative Richards.

Assembly amendment 5 to **Assembly Bill 504** offered by Representative Richards.

Assembly amendment 1 to **Assembly Bill 519** offered by committee on **Ways and Means**.

Assembly substitute amendment 1 to **Assembly Bill 524** offered by Representative Hebl.

Assembly substitute amendment 1 to **Assembly Bill 532** offered by Representatives Barca, Jorgensen, and Molepske Jr.

Assembly amendment 1 to **Senate Bill 191** offered by Representative Barca.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 09-079

Relating to entrance requirements to take the architect examination.

Submitted by Department of Regulation and Licensing.
Report received from Agency, December 22, 2009.

To committee on **Labor**.

Referred on January 11, 2010.

Assembly Clearinghouse Rule 09-083

Relating to commercial fishing for lake whitefish in outlying waters and affecting small business.

Submitted by Department of Natural Resources.

Report received from Agency, December 22, 2009.

To committee on **Fish and Wildlife**.

Referred on January 11, 2010.

Assembly Clearinghouse Rule 09-085

Relating to requirements for conducting lead-safe renovation activities in pre-1978 housing and child-occupied facilities, and affecting small businesses.

Submitted by Department of Health Services.

Report received from Agency, December 22, 2009.

To committee on **Housing**.

Referred on January 11, 2010.

Assembly Clearinghouse Rule 09-089

Relating to forfeitures, anatomical gifts, and automated external defibrillator (AED) training for hospitals.

Submitted by Department of Health Services.

Report received from Agency, December 23, 2009.

To committee on **Health and Healthcare Reform**.

Referred on January 12, 2010.

Assembly Clearinghouse Rule 09-100

Relating to granting certificates to applicants pursuant to an international mutual recognition agreement.

Submitted by Department of Regulation and Licensing.

Report received from Agency, December 22, 2009.

To committee on **Jobs, the Economy and Small Business**.

Referred on January 11, 2010.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 17

Relating to: the prohibition against memorializing the federal government.

By Representative Schneider.

To committee on **Assembly Organization**.

Assembly Joint Resolution 99

Relating to: calling upon the legislatures of the various states to investigate, and to call on the U.S. Congress to investigate, the attack on the U.S.S. Liberty.

By Representative Schneider.
To committee on **Rules**.

Assembly Joint Resolution 100

Relating to: congratulating the Boy Scouts of America on its 100th anniversary.

By Representatives Townsend, Berceau, Bernard Schaber, Brooks, Clark, Gottlieb, Gunderson, Hebl, Hraychuck, Jorgensen, Kaufert, Kerkman, Knodl, LeMahieu, Lothian, Newcomer, A. Ott, J. Ott, Petrowski, Pridemore, Ripp, Roth, Seidel, Spanbauer, Staskunas, Strachota, Suder, Tauchen, Van Roy, Vos and Ziegelbauer; cosponsored by Senators Leibham, Hopper, Cowles, Darling, Hansen, Harsdorf, Holperin, Kedzie, Kreitlow, A. Lasee, Lazich, Lehman, Olsen, Plale, Risser, Schultz, Sullivan, Taylor, Vinehout and Wirch.

To committee on **Rules**.

Assembly Bill 651

Relating to: the wholesale distribution of prescription drugs.

By Representatives Dexter, Colon, Berceau, Bernard Schaber, Grigsby, Hintz, Mason, Pasch, Pope–Roberts, Roys, Sinicki, Soletski, Steinbrink, Turner, Gunderson, Honadel, Kaufert, Stone, Townsend and Van Roy; cosponsored by Senators Sullivan, Kreitlow, Carpenter, Hansen, Lassa, Lehman, Taylor, Wirch, Hopper and Schultz.

To committee on **Health and Healthcare Reform**.

Assembly Bill 652

Relating to: establishing a deer hunting season for certain persons serving on active duty in the U.S. armed forces or national guard.

By Representatives Danou, Clark, Benedict, Ripp, Hebl, Petrowski, Brooks, Davis, Turner, Hubler, Berceau, Mason, Sherman and Nerison; cosponsored by Senators Vinehout, Carpenter, Wirch and Taylor.

To committee on **Fish and Wildlife**.

COMMITTEE REPORTS

The committee on **Consumer Protection** reports and recommends:

Assembly Bill 246

Relating to: the use of automatic dialing announcing devices and providing a penalty.

Assembly Substitute Amendment 2 adoption:

Ayes: 8 – Representatives Hintz, Soletski, Hixson, Pope–Roberts, Roys, Lothian, Spanbauer and Meyer.
Noes: 1 – Representative Kleefisch.

Passage as amended:

Ayes: 7 – Representatives Hintz, Soletski, Hixson, Pope–Roberts, Lothian, Spanbauer and Meyer.
Noes: 2 – Representatives Roys and Kleefisch.

To committee on **Rules**.

Senate Bill 242

Relating to: creating separate regulatory requirements for certain future service contracts.

Concurrence:

Ayes: 9 – Representatives Hintz, Soletski, Hixson, Pope–Roberts, Roys, Lothian, Kleefisch, Spanbauer and Meyer.

Noes: 0.

To committee on **Rules**.

Senate Bill 290

Relating to: changes in the regulation of boxing contests, regulating mixed martial arts fighting contests, granting rule–making authority, making an appropriation, and providing a penalty.

Assembly Substitute Amendment 1 adoption:

Ayes: 9 – Representatives Hintz, Soletski, Hixson, Pope–Roberts, Roys, Lothian, Kleefisch, Spanbauer and Meyer.

Noes: 0.

Concurrence as amended:

Ayes: 9 – Representatives Hintz, Soletski, Hixson, Pope–Roberts, Roys, Lothian, Kleefisch, Spanbauer and Meyer.

Noes: 0.

To committee on **Rules**.

GORDON HINTZ

Chairperson

Committee on Consumer Protection

The committee on **Criminal Justice** reports and recommends:

Assembly Bill 357

Relating to: receiving a stolen firearm and providing a penalty.

Passage:

Ayes: 9 – Representatives Turner, Staskunas, Hraychuck, Pasch, Kleefisch, Friske, Kramer, Brooks and Ripp.

Noes: 0.

To committee on **Rules**.

Assembly Bill 503

Relating to: exposure to a minor and providing a penalty.

Assembly Amendment 1 adoption:

Ayes: 9 – Representatives Turner, Staskunas, Hraychuck, Pasch, Kleefisch, Friske, Kramer, Brooks and Ripp.

Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Turner, Staskunas, Hraychuck, Pasch, Kleefisch, Friske, Kramer, Brooks and Ripp.

Noes: 0.

To committee on **Rules**.

Assembly Bill 515

Relating to: reckless bodily harm to a child and providing a penalty.

Passage:

Ayes: 9 – Representatives Turner, Staskunas, Hraychuck, Pasch, Kleefisch, Friske, Kramer, Brooks and Ripp.

Noes: 0.

To committee on **Rules**.

ROBERT TURNER

Chairperson

Committee on Criminal Justice

The committee on **Forestry** reports and recommends:

Assembly Bill 531

Relating to: the exception to the assessment of withdrawal taxes and fees against a landowner who transfers ownership of managed forest land for siting a public safety communications tower.

Assembly Amendment 1 adoption:

Ayes: 4 – Representatives Clark, Sherman, Milroy and Friske.

Noes: 0.

Passage as amended:

Ayes: 4 – Representatives Clark, Sherman, Milroy and Friske.

Noes: 0.

To joint committee on **Finance**.

Assembly Bill 562

Relating to: the master logger certification scholarship grant program (suggested as remedial legislation by the Department of Natural Resources).

Passage:

Ayes: 4 – Representatives Clark, Sherman, Milroy and Friske.

Noes: 0.

To committee on **Rules**.

Assembly Bill 580

Relating to: petitions and management plans for the designation of managed forest land; transferrals of ownership of managed forest land; establishing stumpage values, filing cutting reports, and estimating withdrawal taxes under the managed forest land program; signatures and authentication requirements for orders under the forest croplands program; granting rule-making authority; making an appropriation; and providing a penalty.

Assembly Amendment 1 adoption:

Ayes: 4 – Representatives Clark, Sherman, Milroy and Friske.

Noes: 0.

Assembly Amendment 2 adoption:

Ayes: 4 – Representatives Clark, Sherman, Milroy and Friske.

Noes: 0.

Passage as amended:

Ayes: 4 – Representatives Clark, Sherman, Milroy and Friske.

Noes: 0.

To joint committee on **Finance**.

The committee on **Health and Healthcare Reform** reports and recommends:

Assembly Bill 591

Relating to: authorizing certain optometrists to dispense contact lenses that deliver a therapeutic pharmaceutical agent.

Assembly Amendment 1 adoption:

Ayes: 13 – Representatives Richards, Roys, Benedict, Shilling, Vruwink, Seidel, Pasch, Bernard Schaber, Vukmir, Rhoades, Stone, Strachota and Nygren.

Noes: 0.

Passage as amended:

Ayes: 13 – Representatives Richards, Roys, Benedict, Shilling, Vruwink, Seidel, Pasch, Bernard Schaber, Vukmir, Rhoades, Stone, Strachota and Nygren.

Noes: 0.

To committee on **Rules**.

JON RICHARDS

Chairperson

Committee on Health and Healthcare Reform

The committee on **Rules** reports and recommends:

Assembly Bill 503

Relating to: exposure to a minor and providing a penalty.

Report Requested:

Ayes: 0.

Noes: 0.

To committee on **Rules**.

Assembly Bill 515

Relating to: reckless bodily harm to a child and providing a penalty.

Report Requested:

Ayes: 0.

Noes: 0.

To committee on **Rules**.

THOMAS NELSON

Chairperson

Committee on Rules

The committee on **State Affairs and Homeland Security** reports and recommends:

Assembly Bill 467

Relating to: creating an optional holiday for state employees to observe the birthday of Cesar E. Chavez.

Passage:

Ayes: 5 – Representatives Kessler, Young, Pope–Roberts, Roys and Black.

Noes: 3 – Representatives Ballweg, Kleefisch and Knodl.

To committee on **Rules**.

Assembly Bill 556

Relating to: designating the bacterium *Lactococcus lactis* as the Wisconsin state microbe.

Passage:

Ayes: 7 – Representatives Kessler, Young, Pope–Roberts, Roys, Black, Ballweg and Knodl.

Noes: 1 – Representative Kleefisch.

To committee on **Rules**.

Senate Bill 57

Relating to: composition of the board of directors of the Wisconsin Aerospace Authority.

Concurrence:

Ayes: 8 – Representatives Kessler, Young, Pope–Roberts, Roys, Black, Ballweg, Kleefisch and Knodl.

Noes: 0.

To committee on **Rules**.

Senate Joint Resolution 11

Relating to: veto power of county executive over appropriations (first consideration).

Concurrence:

Ayes: 8 – Representatives Kessler, Young, Pope–Roberts, Roys, Black, Ballweg, Kleefisch and Knodl.

Noes: 0.

To committee on **Rules**.

FREDERICK KESSLER
Chairperson
Committee on State Affairs and
Homeland Security

The committee on **Ways and Means** reports and recommends:

Assembly Bill 519

Relating to: extending the expenditure period of Tax Incremental District Number 6 in the city of Sheboygan.

Assembly Amendment 1 adoption:

Ayes: 10 – Representatives Hebl, Steinbrink, Zepnick, Toles, Richards, Wood, Kerkman, Nass, Lothian and Knodl.
Noes: 0.

Passage as amended:

Ayes: 10 – Representatives Hebl, Steinbrink, Zepnick, Toles, Richards, Wood, Kerkman, Nass, Lothian and Knodl.
Noes: 0.

To committee on **Rules**.

GARY HEBL
Chairperson
Committee on Ways and Means

SPEAKER'S COMMUNICATIONS

January 8, 2010

Patrick Fuller
Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, WI 53703

Dear Chief Clerk Fuller:

Pursuant to Assembly Rule 42 (3)(c), I am withdrawing **Assembly Joint Resolution 63** from the Assembly Committee on State Affairs and Homeland Security and re-referring it to the Assembly Committee on Elections and Campaign Reform. I have the consent of Representative Fred Kessler, chairman of the Assembly Committee on State Affairs and Homeland Security, to take this action.

Thank you for your immediate attention to this referral.

Sincerely,
MICHAEL J. SHERIDAN
Assembly Speaker

January 8, 2010

Patrick Fuller
Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, WI 53703

Dear Chief Clerk Fuller:

I hereby appoint the following members to serve on the Special Assembly Committee on Clean Energy Jobs:

Representative Spencer Black – Co-Chair
Representative Jim Soletski – Co-Chair
Representative John Steinbrink
Representative Josh Zepnick
Representative Joe Parisi
Representative Ann Hraychuck
Representative Cory Mason
Representative Michael Huebsch

Representative Phil Montgomery
Representative Scott Gunderson

Sincerely,
MICHAEL J. SHERIDAN
Assembly Speaker

January 12, 2010

Representative Joe Parisi
Chair, Assembly Committee on Corrections and the Courts
Room 126 North, State Capitol
Madison, WI 53708

Dear Representative Parisi:

I am writing in my capacity as Assembly Speaker to request that the Joint Review Committee on Criminal Penalties prepare a report under Wisconsin Statute 13.525 (5)(b) on Assembly Bill 503 and Assembly Bill 515, which create a new crime or revises an existing criminal penalty.

If you have any questions, please do not hesitate to contact me.

Sincerely,
MICHAEL J. SHERIDAN
Assembly Speaker

COMMUNICATIONS

January 7, 2010

Assembly Speaker Mike Sheridan
211 West - State Capitol

Dear Speaker Sheridan:

This letter is to inform you of my nominations for minority party members of the special Assembly committee on Clean Energy Jobs pursuant to Assembly Rule 10. I request the appointment of Representatives Mike Huebsch, Phil Montgomery and Scott Gunderson to serve on the special Clean Energy Jobs committee.

Thank you for your consideration.

Sincerely,
JEFF FITZGERALD
Assembly Republican Leader

January 12, 2010

Patrick Fuller
Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, WI 53703

Dear Chief Clerk Fuller:

Please add my name as a co-author of Assembly Substitute Amendment 1 to Assembly Bill 504, relating to a Milwaukee County sales tax for parks, recreation and culture.

Sincerely,
JOSH ZEPNICK
State Representative
9th Assembly District

January 12, 2010

Patrick Fuller
Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, WI 53703

Dear Chief Clerk Fuller:

Please add my name as a co-author of Assembly Bill 648, relating to adopting Internal Revenue Code provisions related to individual retirement accounts and adopting provisions of the Heroes Earnings Assistance and Relief Tax Act of 2008 for state income and franchise tax purposes.

Sincerely,
KARL VAN ROY
State Representative
90th Assembly District